

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	Confirmation No.	5846
Philip Atkin	§		
	§	Group Art Unit:	2622
Serial No.: 10/038,569	§		
	§	Examiner:	Yogesh K. Aggarwal
Filed: January 2, 2002	§		
	§		
Title: Method of Obtaining An Image	§	Atty. Docket:	
	§	GJEL:0003/FLE/POW	
		MJB06834US	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. § 1.6(d), or is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4), or is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
October 20, 2009 Date	/W. Allen Powell/ W. Allen Powell

**ENTITY STATUS CHANGE REQUEST**

By the present paper, Applicant makes an assertion of Small Entity status in accordance with 37 C.F.R. § 1.27(c). Indeed, Applicant is herewith requesting an Entity Status Change from Large Entity to Small Entity for the above-identified patent application. Applicant verifies that they have less than 500 employees and have not licensed the rights in the application to a third party.

Additionally, Applicant presently requests a refund within three months of erroneously paying a Large Entity fee. A separate letter requesting the refund and providing the details of the improper charge is being submitted concurrently. In summary, Applicant paid \$810.00 for an RCE and \$1110.00 for a three-month extension, each of which were filed on October 12, 2009. Because the Applicant has Small Entity status, the proper Small Entity fees should have been \$405 and \$555.00, respectively. Accordingly, the Applicant respectfully requests that the difference of \$960 between the previously-paid total amount of \$1,920.00 (Large Entity) and the total amount of \$960.00 (Small Entity) for the RCE and 3-month extension of time be refunded to Deposit Account No. 06-1315; GJEL:0003/FLE.

If the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Date: October 20, 2009

/W. Allen Powell/  
W. Allen Powell  
Reg. No. 56,743  
(281) 970-4545  
FLETCHER YODER  
P.O. Box 692289  
Houston, TX 77269-2289